



Zoning Ordinance Modernization Project



zMOD Status and Agreement on Approach to Restaurants

Development Process Committee

September 19, 2017

Barbara Byron, Director, OCR

Kevin Guinaw, ZED/DPZ

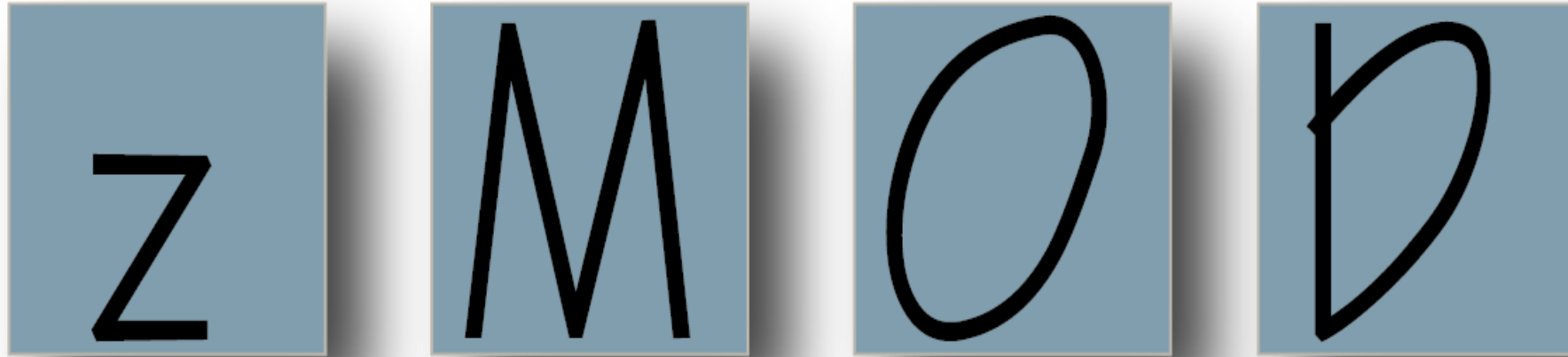
Carmen Bishop/Drew Hushour, ZAD/DPZ

Agenda

- RFP
- Minor Modification Amendment
- Restaurants

RFP for Consultant Services

- SAC has completed its evaluation
- Board concurrence in the award of contracts via County Exec Information Item at October 24, 2017, Board Meeting



Initial Amendments – Minor Modifications and
Restaurants

Minor Modifications Amendment

Changes since last discussion with the Board

- Meetings with Land Use Attorneys Advisory Group - July 26 and Aug. 9, 2017
 - Amendment well received. Based on discussion, did some wordsmithing and added a sixth minor variation on architectural changes to proposed text.
- Zoning Open House - July 26, 2017
 - One of several pending Zoning Ordinance amendments presented to the public at a very well attended evening meeting at the Government Center.
- Meetings with Citizen Advisory Group - June 28 and Aug. 10, 2017
 - Amendment generally well received. Based on discussion, added a limit of 15 feet to proposed increases in height that may be approved as a minor variation by the Board; clarified who can request a modification to a community recreation facility as a minor variation; and, included signs in the proposed sixth minor variation.

Minor Modifications Amendment

Schedule

- Planning Commission Land Use Process Committee – September 14, 2017
- Authorization of Amendment – September 26, 2017
- Planning Commission Public Hearing – October 26, 2017
- Board of Supervisors Public Hearing – November 21, 2017

Restaurants Amendment

Presentation and Discussion

- Follow up to July 18th Development Process Committee presentation
- Presentation on general approach with draft text for discussion purposes, outreach and schedule
- Board discussion and concurrence

Restaurants Amendment

The proposed amendment focuses on new definitions

The proposed definitions would classify most as **Restaurants**, except for:

- **Restaurants with Drive-throughs, and**
- **Carryout Restaurants**

Primary revisions since July 18th:

- Office districts
- Parking

Where Would They Be Permitted?

Office Districts (C-2 – C-4): A **restaurant** or **carryout** would be permitted by right in C-3 and C-4. In C-2, they would be permitted as a principal use by Special Exception (SE)

Retail Districts (C-5 – C-8): A **restaurant** or **carryout** would be permitted by right. A restaurant with a **drive-through** would require an SE

Highway Corridor Overlay: A **drive-through** would still continue to require an SE

Where Would They Be Permitted? – (cont'd)

Planned Districts:

- Generally, a **restaurant** or **carryout** would continue to be permitted when shown on the approved development plan, or by Special Exception
- Existing limitations on **drive-throughs** would remain:
 - not permitted in PRM
 - SE required in PDH
 - limited in PTC
- In PDC, the fast food limitations would be deleted and a drive-through could be permitted as a secondary use or by SE

Where Would They Be Permitted? – (cont'd)

*In certain circumstances, in C- or P-Districts, fast food restaurants with no drive-through currently operating under a SE would now be by-right and would no longer be subject to the previous conditions

Industrial Districts:

- In I-2 – I-4, a **restaurant** would be permitted as a principal use with SE approval
- In I-5 & I-6, a **restaurant, carryout or drive-through** would be permitted with SE

Where Would They Be Permitted? – (cont'd)

Accessory Service Uses:

- A **restaurant** would be permitted as an accessory service use where eating establishments are currently allowed in multi-family residential districts (R-12 – R-30, PDH, PDC, PRC, when the complex has a minimum of 250 units)
- A **restaurant** or **carryout** would be permitted as an accessory service use where eating establishments are currently allowed in office (C-1 – C-4) and industrial (I-1 – I-6) districts
- A **drive-through** would be permitted as an accessory service use where fast food is currently allowed in I-5 and I-6

Current & Proposed Parking Option 1

Eating Establishment

1 space/4 table seats + 1 space/2 counter seats + 1 space/2 employees, for both freestanding and within shopping centers

- Apply this rate to **Restaurants** (freestanding, and those that are >5000 SF in size within shopping centers)

Fast Food Restaurant

1 space/2 seats for freestanding, or
GFA @ the shopping center rate within centers
(4.0 – 4.8 spaces/1000 SF)

- Apply the freestanding rate to **Drive-throughs** (freestanding, and those that are >5000 SF in size within shopping centers)
- No change to the stacking requirements

Current & Proposed Parking Option 1

Quick-service Food Store

6.5 spaces/1,000 SF of GFA for freestanding
or

GFA @ the shopping center rate within centers (4.0 – 4.8
spaces/1000 SF)

- Apply this rate to freestanding **Carryouts**

Shopping Centers

4.0 – 4.8 spaces/1000 SF, depending on the size of the center

- Apply this rate to all types of restaurants that are less than 5000 SF in size

Proposed Parking Option 2

Convert the current rates to **square footage** of gross floor area

- Restaurants less than 5000 SF in size – 10 spaces/1000 SF
- Restaurants 5000 SF or more – 11 spaces/1000 SF
- Restaurants with a drive-through – 12 spaces/1000 SF
- Carryouts and shopping centers – same as Option 1

Proposed Parking Option 2 – (cont'd)

Based on a review of the required parking per 1000 SF for 82 eating establishments and 38 fast food restaurants:

- Eating establishments
 - Overall = 9 spaces/1000 SF
 - <5000 SF in size = 8.7 spaces/1000 SF
 - >5000 SF in size = 10.1 spaces/1000 SF
- Fast food = 11.6 spaces/1000 SF
- The proposed “equivalent” rates based on GFA are just above these averages and result in slightly higher parking requirements (approximately 10%) for the eating establishment sample studied

Outdoor Seating

- Currently, parking is required to be provided for outdoor seating
- Seasonally-used outdoor seating contributes to the attractiveness of restaurants and retail centers, but does not equate to an equal number of additional customers and parking demand
- The Comprehensive Plan recommends outdoor dining as contributing to a high-quality pedestrian experience
- Certain other jurisdictions exempt some outdoor seating from parking requirements

Outdoor Seating – (cont'd)

Proposed amendment: For restaurants and drive-throughs, exempt up to 20 outdoor seats from parking calculations. Additional outdoor seating would be subject to the same parking rates as the indoor seats.

Outdoor Seating & Placemaking



Photo courtesy of EDENS



Parking Not Required



More Than 20 Seats Requires Parking



Draft Schedule

- Land Use Aides June 27
- PC Land Use Committee July 13
- BOS Development Process Committee July 18
- Authorization of Concept by BOS July 25
- Citizen Committee July/September
- Citizen/Industry Engagement ongoing
- BOS Development Process Comm. w/ text September 19
- BOS Authorization w/ text October 24
- Planning Commission Public Hearing November 30
- BOS Public Hearing January 23

Direction Needed from Board

Does the Board support ...

- General approach?
- Schedule?